

## **REMARKS/ARGUMENTS**

In response to the Examiner's further Office Action of June 26, 2008 issued with respect to the present RCE application, the Applicant respectfully submits the accompanying Amendment of the claims and the below Remarks.

### ***Regarding Amendment***

In the Amendment:

independent claims 1, 19 and 38 are amended to omit recitation of the nozzle rims and to specify that the printhead has a plurality of bubble forming chambers each corresponding to a respective one of the nozzles, that a heater element and a non-heater element is disposed in each of the bubble forming chambers to overlay one another with a space there between, where the heater and non-heater elements are formed of the same heater material and each heater element is connected to corresponding electrodes so as to be in thermal contact with a bubble forming liquid in the respective bubble forming chamber, and that each heater element is heated with the corresponding electrodes and has a bubble nucleation section having a smaller cross section than the remainder of that heater element. Support for these amendments can be found at page 15, lines 18-25 of the present specification at page

dependent claims 3, 21, 40, 44, 47, 48 and 53 are amended to conform with amended claims 1, 19 and 38;

dependent claims 17 and 36 are amended to omit recitation of "said part of"; and  
dependent claims 15, 34 and 51 are cancelled;

dependent claims 5, 6, 8, 10-14, 16, 18, 24, 25, 27, 29-33, 35, 37, 42, 43, 46, 49, 50, 52 and 54 are unchanged.

It is respectfully submitted that the above amendments do not add new matter to the present application.

### ***Regarding Claim Objections***

It is respectfully submitted that the amendments of claims 1, 17, 19, 36 and 38 provide the corrections required by the Examiner.

### ***Regarding 35 USC 103(a) Rejections***

It is respectfully submitted that the subject matter of amended independent claims 1, 19 and 38, and claims 3, 5, 6, 8, 10-14, 16-18, 21, 24, 25, 27, 29-33, 35-37, 40, 42-44, 46-50 and 52-54 dependent there from, is not taught or suggested by previously cited Campbell, Silverbrook and Kubby '412 and newly cited Murthy et al. (US 6,120,135), Lee et al. (US 6,460,961), Kubby (US 5,487,483) and Chan (US 5,710,070) either taken alone or in combination with one another, because none of the cited references teach or suggest disposing a heater element and a non-heater element in each bubble forming chamber to overlay one another with a space there between, where the heater and non-heater elements are formed of the same heater material and each heater element is connected to corresponding electrodes so cause ejection from the respective chamber, as is required by amended independent claims 1, 19 and 38.

### ***Regarding Double Patenting Rejections***

It is respectfully submitted that amended independent claim 1 is patentable over claim 19 of copending Application No. 11/926,121 in view of Kubby '483, because neither claim 19, nor any of the other claims, of Application No. 11/926,121 nor Kubby '483 teach or suggest disposing a heater element and a non-heater element in each bubble forming

chamber to overlay one another with a space there between, where the heater and non-heater elements are formed of the same heater material and each heater element is connected to corresponding electrodes so cause ejection from the respective chamber, as is required by amended independent claim 1.

It is respectfully submitted that all of the Examiner's objections and rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

Applicant/s:



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